

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-CV-61067-RAR

POLAR VORTEX, LLC,

Plaintiff,

v.

**CERTAIN UNDERWRITERS AT LLOYD’S,
LONDON SUBSCRIBING TO POLICY
YHL1700840,**

Defendant.

_____ /

ORDER FOLLOWING BENCH TRIAL

THIS CAUSE comes before the Court upon the close of evidence in the bench trial held on May 15–17 and May 22–25, 2023. The Court has previously denied Defendant’s Motion to Dismiss, [ECF No. 4], and Defendant’s Motion for Summary Judgment, [ECF No. 32], each of which argued that Plaintiff’s case is time-barred. The Court found “genuine disputes of material fact that may affect the outcome of the case and therefore foreclose summary judgment as to the question of whether the case is time-barred.” Order on MSJ at 2; *see also* Order on MTD at 10 (finding the limitations period tolled when construing all facts in the light most favorable to Plaintiff). The Court has now taken evidence on the issue of whether the suit is time-barred, such that the Court may enter a judgment on partial findings pursuant to Federal Rule of Civil Procedure 52(c). As discussed with the parties on the record on May 25, 2023, *see* [ECF No. 73], it is hereby

ORDERED AND ADJUDGED that the parties shall each, on or before **July 28, 2023**, submit Proposed Findings of Fact and Conclusions of Law on the dispositive issue of whether Plaintiff’s suit is time-barred to support a Rule 52(c) partial judgment. The parties shall file their

Proposed Findings of Fact and Conclusions of Law on the docket and simultaneously email them to ruiz@flsd.uscourts.gov in Word format. The email subject line must include the case number as follows: 22-CV-61067-RAR.

DONE AND ORDERED in Miami, Florida, this 25th day of May, 2023.

A handwritten signature in black ink, appearing to read 'Rodolfo A. Ruiz II', written over a horizontal line.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE